

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF TEXAS

Fort Worth Division

UNITED STATES OF AMERICA

v.

THE BOEING COMPANY,

Defendant.

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4:21-CR-005-O

Count 1: 18 U.S.C. § 371

**FILED**

**January 7, 2021**

**KAREN MITCHELL**  
**CLERK, U.S. DISTRICT**  
**COURT** <sup>bb</sup>

**CRIMINAL INFORMATION**

The United States of America charges:

**COUNT ONE**  
(Conspiracy to Defraud the United States)

1. From at least in or around November 2016 through at least in or around December 2018, in the Northern District of Texas and elsewhere, the Defendant,

THE BOEING COMPANY,

knowingly and willfully, and with the intent to defraud, conspired and agreed together with others to defraud the United States by impairing, obstructing, defeating, and interfering with, by dishonest means, the lawful function of a United States government agency, to wit, the Federal Aviation Administration Aircraft Evaluation Group (“FAA AEG”) within the United States Department of Transportation, in connection with the FAA AEG’s evaluation of the Boeing 737 MAX airplane’s Maneuvering Characteristics Augmentation System (“MCAS”), including for purposes of the 737 MAX Flight Standardization Board Report (“FSB Report”) and the 737 MAX differences-training determination.

2. In furtherance of the conspiracy and to effect its objects, in the Northern District of Texas and elsewhere, the Defendant,

THE BOEING COMPANY,

together with others, knowingly committed and caused the commission of the following overt acts, among others:

- a. On or about January 17, 2017, an employee of THE BOEING COMPANY emailed an employee of the FAA AEG about the 737 MAX FSB Report, stating in part, “Flight Controls: Delete MCAS, recall we decided we weren’t going to cover it [ . . . ] since it’s way outside the normal operating envelope.”
- b. On or about July 7, 2017, an employee of THE BOEING COMPANY emailed employees of at least two major U.S.-based airline customers, stating in part, “Attached is the final and approved 737 FSB [R]eport which adds the 737 MAX.”

(In violation of Title 18, United States Code, Section 371).

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